

JOURNAL OF THE SENATE

Monday, May 24, 1943

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Friday, May 21, 1943.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson

—34.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Friday, May 21, 1943, was corrected as follows:

On page 12, column 2, between lines 4 and 5, counting from the bottom of the column insert the following:

"Senator Shands moved that the rules be further waived and Senate Bill No. 365 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 365 was read the second time by title only."

And as corrected was approved.

REPORTS OF COMMITTEES

Your Committee on Judiciary "A", to whom was referred—House Bill No. 99:

A bill to be entitled An Act to repeal Sections 817.09 and 817.10 of the Florida Statutes, 1941, relating to the obtaining thing of value on contract to perform service, with intent to defraud, and prescribing a rule of evidence governing same.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And Senate Bill No. 99, contained in the above report, was laid on the table.

Your Committee on Judiciary "A", to whom was referred: Senate Bill No. 78:

A bill to be entitled An Act to amend Section 415.21, Florida Statutes, 1941, relating to placing delinquent children on probation; and to amend Section 955.20, Florida Statutes, 1941, relating to the commitment of persons between sixteen and eighteen years of age convicted of certain crimes, to the Florida Industrial School for Boys; and repealing Section 955.19, Florida Statutes, 1941, relating to committing persons over ten years and under eighteen years of age to the guardianship of the Florida Industrial School for Boys, upon complaint being made of incorrigible and vicious conduct.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And Senate Bill No. 78, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A", to whom was referred: Senate Bill No. 504:

A bill to be entitled An Act requiring payment of claims for live stock killed or injured by any common carrier in the State of Florida within sixty days of filing claim by owner, and providing for a penalty of double damages and an attorney fee in certain instances.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And Senate Bill No. 504, contained in the above report, was laid on the table.

Your Committee on Judiciary "A", to whom was referred: Senate Bill No. 566:

A bill to be entitled An Act determining that the railroads in the State of Florida, where the right-of-way borders a farm, are removing their fences from the right-of-way in certain counties of the State and by reason of their shortage of the fencing material that cattle owners are unable to prevent their stock from roaming upon the railroad right-of-way; that as a result the cattle owners are losing much cattle whose meat would otherwise be available for human consumption and making it unlawful for any railroad company within the State of Florida to remove any fence upon their right-of-way when same is not being done for the purpose of repairing or replacement and providing further that where any railroad removed any fence bordering any farm in the State of Florida, that the same shall be within thirty days after the passage of this Act rebuilt and restored, and providing further that it shall be prima facie evidence of negligence upon the part of the railroad upon proof that any cattle of any kind have been killed on its right-of-way and the railroad shall be liable for the full market value of same, and providing that this Act shall terminate upon the termination of the present war between this Country and the Axis powers, and providing a penalty for the violation of this Act.

Have had the same under consideration, and report the same without recommendation.

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And Senate Bill No. 566, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A", to whom was referred: House Bill No. 194:

A bill to be entitled An Act relating to the resignation and re-instatement of attorneys.

Have had the same under consideration and recommend that the same pass.

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And Senate Bill No. 194, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A", to whom was referred: House Bill No. 597:

A bill to be entitled An Act relating to cause of action for damages for death by wrongful Act: providing who shall sue for damages resulting from death by wrongful act; providing for the form of verdict in such actions, to whom amount recovered to be paid and providing procedure for the compromise of any claim for damages arising from death by wrongful act, and repealing Sections 768.02, 768.03, Florida Statutes, 1941, and repealing all other laws in conflict herewith.

Have had the same under consideration and recommend that the same pass.

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And House Bill No. 597, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Franklin, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments:

Senate Bill No. 24:

A bill to be entitled An Act to provide for absentee voting of registered qualified electors of the State of Florida who are in the armed forces of the United States of America and absent from the State of Florida by reason thereof.

Which amendments read as follows:

No. 1: Strike out the title and insert in lieu thereof the following: A bill to be entitled An Act to provide for absentee voting of electors of the State of Florida who are in the armed forces of the United States and absent from the State of Florida by reason thereof; to prescribe rules and regulations for such absentee voting and for the payment of expenses thereof.

No. 2. Strike out Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and insert in lieu thereof the following:

Section 2. Every registered, qualified elector of the State of Florida, serving in the land or naval forces of the United States, including the several branches or arms thereof, as well as the Women's Auxiliary forces and the Merchant Marine, who by reason of such service shall be absent from the State of Florida on the occurrence of any election hereafter held pursuant to law in this State shall be permitted to vote in such election.

Section 3. The Secretary of State of the State of Florida in preparing official war ballots for elections held in this State, in accordance with Public Law 712, Seventy-seventh Congress of the United States, approved September 16, 1942, shall also provide on said ballot for voting for all candidates for State, County and other local offices, and any proposed amendments to the Constitution of the State of Florida, or any other proposition or question which is to be submitted to a vote in the State; and in the preparation of instructions to voters pursuant to said Public Law 712 shall include therein such instructions, if any, as said Secretary of State may deem necessary for informing voters regarding election of State, County and other local offices or in connection with other matters included on said ballot.

Section 4. The Secretary of State may utilize the services of such local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this act.

Section 5. The persons referred to in Section 1 hereof may make application in writing to the Secretary of State of the State of Florida at any time prior to an election, on the form prescribed in said Public Law 712, or on such other form as may be prescribed by the Secretary of State, for absentee ballots to be voted in the election, and the Secretary of State shall, after making a record of the name and address of such applicant, transmit such application to the County Judge of the County of applicant's residence, with all necessary instructions to said County Judge as to his duties hereunder. The County Judge shall transmit to such applicant, as soon as practicable after the receipt of such application, an official war ballot and envelope, voting instructions, a booklet containing instructions and explanations as to casting a vote if one has been prepared, and an envelope for use in returning the official war ballot and envelope, all in accordance with said Public Law 712 and of this Act.

Section 6. When official war ballots are received by the Secretary of State of the State of Florida, he shall make a list thereof and from day to day forward the name to the County Judge of the County of the residence of the persons casting such ballot. When the County Canvassing Board meets to canvass the returns of any election, the County Judge shall deliver to the Canvassing Board all official war ballots received by him by the hour of the closing of the polls on the date of the holding of the election. Such ballots shall be examined by said Canvassing Board and every such ballot filled out and mailed in accordance with the provisions of Public Law 712 shall be canvassed, counted and certified in the same manner as nearly as may be practicable as the votes which were cast within the borders of the State of Florida are canvassed, counted and certified, but no such ballot shall be valid if the voter has voted in person.

Section 7. The Canvassing Board shall determine from the registration books or lists of the County whether the persons voting absentee ballots are registered as required by the Constitution and Laws of Florida. Where the persons voting absentee ballots are so registered, such Canvassing Board shall count and canvass the entire ballot cast by such voters

for all offices. Where the persons voting absentee ballots are not registered, the ballot shall be counted and canvassed only as to the votes cast by them for President and Vice-President of the United States, United States Senators and Representatives in Congress.

Section 8. In order to fully carry out the purposes and intentions of this Act, the Secretary of State of the State of Florida and the various county officials charged with the duty of providing for elections, as the case may be, are authorized, empowered and directed to have printed and in the hands of the proper election officials all necessary ballots, together with the container return envelope, not more than ten days after the time has expired for the qualifying of officers in primary elections, and not less than thirty days prior to general elections.

Section 9. The expenses of administering the provisions of this Act by the Secretary of State shall be paid from the appropriation for primary or general election expense, unless or until the same is paid by the Federal Treasury under the provisions of the Federal Act. Expenses of local election officials shall be paid from the General Revenue Fund of the County.

Section 10. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 11. If any part of this Act is declared invalid or unconstitutional it shall not affect any other part thereof.

Section 12. This Act shall take effect immediately upon its passage and approval by the Governor or upon becoming a law without such approval.

Very respectfully,

J. A. FRANKLIN, Chairman.

And Senate Bill No. 24, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A," to whom was referred: House Bill No. 467:

A bill to be entitled An Act to amend Section 27.12 of Florida Statutes, 1941, by extending the power of the State Attorney and the Comptroller to compromise and settle judgments, claims and demands in favor of the State so as to include all such judgments, claims and demands based upon estreated bonds.

Have had the same under consideration and recommend that the same pass.

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And House Bill No. 467, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A," to whom was referred: House Bill No. 321:

A bill to be entitled An Act relating to certain personal contracts, providing that no contract, promise or agreement to make a will, not to make a will, to make a codicil to a will, not to make a codicil to a will, to revoke or alter a will or codicil already made, not to revoke or alter a will or codicil already made, to leave money or property at death by will or otherwise in a particular manner or to a particular person, or not to leave money or property at death by will or otherwise in a particular manner or to a particular person, shall be valid and binding upon a person or his estate, and prohibiting the bringing of any action thereon, unless such contract, promise or agreement, or some memorandum thereof in writing, be signed by the party to be charged thereon or by some other person by him thereunto lawfully authorized; but also providing a recovery upon quantum meruit or quantum valebant for services or other value actually expended in good faith under such invalid contracts.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

AMOS LEWIS,

Chairman of Committee.

And House Bill No. 321, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A," to whom was referred: Committee Substitute for House Bill No. 46:

A bill to be entitled An Act providing that any person in

any branch of service of the government of the United States, including military and naval service, and the husband or the wife of any such person, if he or she be living within the borders of the State of Florida, shall be deemed prima facie to be a resident of the State of Florida for the purpose of maintaining any suit in chancery or action at law.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,
AMOS LEWIS,
Chairman of Committee.

And Committee Substitute for House Bill No. 46, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A," to whom was referred: House Bill No. 21:

A bill to be entitled An Act to amend Sections 936.01, 936.02, 936.03, 936.04 and 936.16 Florida Statutes, 1941, relating to inquests of the dead; and to require that all inquests be held only upon direction of the Judge or a Prosecuting Attorney of a court having trial jurisdiction of felonies, or by such a court itself; and to repeal all laws and parts of laws in conflict herewith.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,
AMOS LEWIS,
Chairman of Committee.

And Senate Bill No. 21, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Roads and Highways, to whom was referred:

House Bill No. 797:

A bill to be entitled An Act to abolish the Fort Pierce Port District, in St. Lucie County, Florida, and creating the Fort Pierce Inlet District in said county; in lieu thereof; to embrace the same boundaries and area, and making provision for it as the successor thereto; providing that the Board of County Commissioners of St. Lucie County shall be the Board of Commissioners of Fort Pierce Inlet District and fixing their powers, obligations, duties and authority over the said district and over the pilots, harbor masters and stevedores within the said district; and providing for the taxation, the payment and refunding of the indebtedness of the district, and other matters in connection therewith.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,
N. RAY CARROLL,
Chairman of Committee.

And House Bill No. 797, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Roads and Highways, to whom was referred:

House Bill No. 803:

A bill to be entitled An Act to abolish the Board of Commissioners of St. Lucie County Sanitary District and offices of Treasurer and Secretary as created and defined by Chapter 13369, Laws of Florida, 1927, and all Acts amendatory thereto; to provide that all functions, duties and powers as provided in Chapter 13369, are hereby vested in a new board to be made up ex-officio of the five County Commissioners of St. Lucie County, Florida, providing that the Clerk of the Circuit Court of St. Lucie County, Florida, shall act as Secretary and Treasurer of said district; providing that all properties and assets, as well as the books and records of said district, together with a written report setting forth the financial affairs and status of said district shall be delivered to the new board created hereunder, within thirty days after such Act becomes a law; and providing regulations incidental to the purpose and intent of this Act.

Have had the same under consideration and recommend that the same pass.

Very respectfully,
N. RAY CARROLL,
Chairman of Committee.

And House Bill No. 803, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A," to whom was referred: Senate Bill No. 59:

A bill to be entitled An Act to declare when and under what circumstances recorded mortgages or liens affecting real estate shall, as to third persons, be presumed to have been paid and satisfied.

Have had the same under consideration, and recommend that the following Committee Substitute therefor pass.

Very respectfully,
AMOS LEWIS,
Chairman of Committee.

And Senate Bill No. 59, together with the Committee Substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Health, to whom was referred: House Bill No. 480:

A bill to be entitled An Act relating to marriage licenses; requiring certificate of physician as precedent to applying for marriage license; requiring a pre-marital serological test for discovery of syphilis; providing manner in which physician's certificate and laboratory report are to be made; defining standard serological tests and approved laboratory; providing exemption from physician's certificate and serological test because of pregnancy; providing who shall make such tests and issue certificates and limiting fees of physicians for making examinations and issuing certificates; providing exemption from physician's certificate and serological test for service men during time of war; authorizing use of laboratory report information by State Board of Health for the protection of the public health; invalidating marriages contracted in attempted evasion of this Act; making violation of this Act a misdemeanor and providing for the effective date of this Act.

Have had the same under consideration, and reports same out without recommendation.

Very respectfully,
JOHN R. BEACHAM,
Chairman of Committee.

And House Bill No. 480, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Health, to whom was referred: Senate Bill No. 540:

A bill to be entitled An Act to require the operator of any ambulance and the attendants engaged in same, while serving the public, to have a current first aid certificate showing they have completed both a standard and advanced course in first aid and providing penalties for the violation hereof.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,
JOHN R. BEACHAM,
Chairman of Committee.

And Senate Bill No. 540, contained in the above report, was laid on the table.

Your Committee on Public Health, to whom was referred: House Bill No. 439:

A bill to be entitled An Act to repeal Section 502.05, Florida Statutes, 1941, relating to the coloring of imitation butter and filled cheese, and to repeal Section 502.07, Florida Statutes, 1941, relating to the serving of imitation butter and filled cheese by places where food or drink is sold, and displaying placards relative thereto.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,
JOHN R. BEACHAM,
Chairman of Committee.

And House Bill No. 439, contained in the above report, was laid on the table.

Your Committee on Public Health, to whom was referred: House Bill No. 153:

A bill to be entitled An Act concerning bottles, boxes, tins, ice cream containers, packages, wrappers, cabinets, refrigerators, equipment or other receptacles and containers used in the sale of milk, cream, ice cream, ice cream mixtures or com-

pounds or any other similar product frozen substantially the substance of ice cream.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,
JOHN R. BEACHAM,
Chairman of Committee.

And House Bill No. 153, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 350:

A bill to be entitled An Act to amend Section 1 of Chapter 18285, Laws of Florida, Acts of 1937, entitled "An Act creating a State Welfare Board and District Welfare Boards and providing for their appointment, qualifications, powers and duties: Providing that said State Board shall be the agent for the United States, State, County and municipal governments in the administration of funds for the relief of unfortunates; and authorizing the said boards to act as agent for the United States, State, County, and municipal governments in the administration of any funds for investigation, social welfare work, or any other work incident to the public welfare of the United States, State, County and municipal governments; authorizing the State Welfare Board to formulate rules and regulations necessary to carry out the intent and purposes of this Act; providing for the supervision of State and local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children; authorizing the State Welfare Board to establish minimum standards of care for all local public and private institutions or agencies; creating the Office of State Welfare Commissioner and providing for his appointment, providing that this Act shall not affect the enforcement of Chapter 9274, Acts of 1923, of Chapter 11834, and 13384, Acts of 1927, of Chapter 13620, Acts of 1929, and Acts amendatory thereof; repealing all other laws or parts of laws in conflict herewith; and making appropriations to carry out the purposes of said Act; and fixing the qualifications of persons entitled to monetary benefits or assistance under this Act."

Have carefully examined same, and find same correctly engrossed and return same herewith.

Very respectfully,
K. GRINER,
Chairman of Committee

And Senate Bill No. 350, contained in the above report, was certified to the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 306:

A bill to be entitled An Act to create a State University to be known as the "University of South Florida," whose primary purpose shall be a school of medicine and a school of dentistry, and making an appropriation therefor.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,
K. GRINER,
Chairman of Committee

And Senate Bill No. 306, contained in the above report, was certified to the House of Representatives.

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 322:

A bill to be entitled An Act amending Section 562.20, 562.21, 562.43, Florida Statutes, 1941, providing for reports of all persons, firms or corporations who transport alcoholic beverages; providing for the payment out of funds of the department of liens or retain title amounts on seized property and granting the right to the Director to compromise as respects seized property; prohibiting credit on sales of malt and vinous beverages, and prescribing penalties.

Senate Bill No. 323:

A bill to be entitled An Act amending Sections 561.01, 561.06, 561.09, 561.29 and 561.35, Florida Statutes, 1941, providing for definitions of terms in the Beverage Act; providing for salaries; prohibiting the re-use of bottles for distilled spirits and prohibiting misrepresentation; granting to the Bever-

age Director power of subpoena and the right to enforce the attendance of witnesses and to revoke licenses; providing for importers license and regulations of importation.

Senate Bill No. 363:

A bill to be entitled An Act classifying the planting, raising, cultivating, processing or cutting of Southern pine trees with agriculture and providing that persons engaged in such planting, raising, cultivating shall be entitled to all the rights and privileges which persons engaged in agriculture by law may now or hereafter enjoy.

Senate Bill No. 484:

A bill to be entitled An Act to amend Section 525.07, Florida Statutes, 1941, relating to the inspection of measuring devices used in the sale or distribution of gasoline and kerosene.

Senate Bill No. 339:

A bill to be entitled An Act to exempt certain persons in the military service from filing application for homestead tax exemption; providing for reductions where tax is erroneously assessed in such cases; and repealing all laws in conflict herewith.

Senate Bill No. 348:

A bill to be entitled An Act to provide under certain conditions suit money, including a reasonable Attorney's fee, to a divorced wife, or husband in proceedings subsequent to the rendition of a final decree of divorce by the courts of this State.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,
S. A. HINELY,

Chairman of the Joint Committee on Enrolled
Bills on the Part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 107:

A bill to be entitled An Act to amend Section 5, of Chapter 17060, Laws of Florida, Acts 1935, Legislature, entitled "An Act regulating the allowance of exemption of homesteads from taxation, and prescribing the duties of county and city officials with reference thereto," being Section 192.16, Florida Statutes, 1941, by providing for the execution and delivery of a receipt to each applicant for homestead exemption; provided, however, this Act shall not apply to counties having a population not more than 27,500 according to the official Federal Census of 1940.

Senate Bill No. 112:

A bill to be entitled An Act amending Chapter 20214, Acts of the Legislature of Florida, 1941, by adding thereto an additional Section to be designated Section 15-A providing for the preparation by the Adjutant General of Florida of suitable medals, service bars, ribbons, awards, or other indicia of service in Florida Defense Force or Florida State Guard, and for the preparation of regulations for awarding the same and providing for the awarding thereof to the officers and enlisted men of Florida Defense Force of Florida or Florida State Guard.

Senate Bill No. 135:

A bill to be entitled An Act to amend Section 2 of Chapter 20678, Laws of Florida, Acts of 1941, relating to the licensing, bonding and regulation of certain dealers in agricultural products, etc.

Senate Bill No. 172:

A bill to be entitled An Act to amend Section 409.17, Florida Statutes, 1941, as amended by Section 1 of Chapter 20714, Laws of Florida, Acts of 1941, relating to aid to the blind.

Senate Bill No. 205:

A bill to be entitled An Act to amend Chapter 11516, Acts of 1925, of the Laws of the State of Florida, being entitled "An Act to abolish the present Municipal Government of the City of Hialeah, Dade County, Florida, and to create, establish and organize a municipality to be known and des-

ignated as the City of Hialeah, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises, and privileges," and to authorize the issuance of municipal bonds, and for other purposes, by adding thereto a new Section, to be known as **Section 102** and to authorize therein for the levying of a special tax upon admission tickets sold by any licensee of the State Racing Commission of any race track located within the boundaries of said City of Hialeah; fixing the amount of said special tax, and imposing upon said licensee the burden of adding said special tax to the amount of each and every admission ticket sold, and of collecting the same, and providing a penalty for the failure so to do; providing that said money derived from said special tax shall be used for the sole purpose of paying the principal and interest on municipal bonds now outstanding against the City of Hialeah, Florida, and providing further, that this special tax shall be in addition to the taxes authorized in Section 10, of Chapter 14832, Acts of the Legislature, Laws of 1931, and for other purposes.

Hereby reports that the above bills have been correctly enrolled and are presented herewith for the signature of the President and Secretary of the Senate.

Very respectfully
S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The Bills contained in the above report were duly signed by the President and Secretary of the Senate in open session, and ordered to be transmitted to the House for the signature of the Speaker and Chief Clerk of the House of Representatives.

Senator Shands moved that Senate Bill No. 398 be re-referred to the Committee on Insurance.

Which was agreed to and it was so ordered.

Senator Mathews moved that Senate Bill No. 508 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

Senator Cliett moved that a committee be appointed to escort Lieutenant Richard H. Merritt, United States Navy, of Pensacola, Florida, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Cliett, McKenzie and Davis as the committee.

INTRODUCTION OF RESOLUTIONS

By Senator Lewis—

Senate Resolution No. 13:

WHEREAS, Honorable WILLIAM HALL MILTON, a United States Senator from Florida from March 27, 1908 to March 3, 1909, passed away January 4, 1942, and

WHEREAS, by his death the State lost one of its very ablest men and most outstanding citizens, and

WHEREAS, it is fitting that mention should be made in the public records of the life and achievements of such men as Senator Milton, Therefore,

BE IT RESOLVED, First—That the Senate of the State of Florida spread upon its Journal, the following Memorial in honor of the life and public service of Honorable William Hall Milton.

IN MEMORIAM—WILLIAM HALL MILTON

William Hall Milton, whose parents were Major William Henry Milton and Lucy Hall (Hearn) Milton, was born in Marianna, Florida, March 2, 1864. Senator Milton's father was a Major of Scott's Battalion, 5th Florida Cavalry, during the Civil War and included in his military services was participation in the battles of Olustee and Natural Bridge. Major Milton was active in Florida public affairs for many years after the Civil War. He served for a long period as State Attorney of his judicial circuit, and represented Jackson County as one of its members in the Constitutional Convention of 1885.

Senator Milton's grandfather, Honorable John Milton, was governor of Florida during the dark days of the Civil War. Governor Milton is said to have been directly descended from a brother of the poet John Milton, author of the famous poem, "Paradise Lost."

The education of William Hall Milton, in so far as books are concerned was in the schools of Jackson County and in the Agricultural and Mechanical College of Auburn, Alabama. But in the education of such men as Senator Milton the schools play a small, though usually an important part. Life and life's contacts helped largely to finish the education of William Hall Milton.

The subject of this sketch was never afraid of work. He was a store clerk at fourteen and before reaching his majority served on the surveying party which chose the line of the Pensacola and Atlantic Railroad, now a part of the Louisville and Nashville System.

Following his railroad surveying experience, William Hall Milton decided upon the legal profession, reading law in the offices of F. B. Carter and Benjamin S. Liddon. In 1890, as an associate of W. J. Daniel and Company he began a long and honorable career in banking, having at times been connected with banks in at least half a dozen West Florida cities and towns.

Senator Milton during several years of President Wilson's administration was receiver of two Pensacola National banks, one of which he succeeded in re-opening upon a sound basis.

In a brief sketch it is impossible to enumerate all or even the half of Senator Milton's services as an honorable business man.

In the political field his record was a fine one. He was member of the Florida House of Representatives, 1889; Presidential Elector, 1892; City Clerk of Marianna, 1892-95; Surveyor General of Florida, 1894-97; President, Board of Managers, State Reform School, 1897-1913; and on March 27, 1908, was appointed United States Senator from Florida, following the death of Senator William James Bryan.

In religion, Senator Milton was a member of the Episcopal Church. He was vice president of the Georgia Society of the Cincinnati. Fraternally, he was a member of Harmony Lodge, No. 3, the Free and Accepted Masons; the Jackson Chapter No. 3, Royal Arch Masons, the Chipola Commandery, No. 12 Knights Templar; a life member of the Arabic Order Nobles of the Mystic Shrine; and the Benevolent and Protective Order of Elks, Senator Milton was a member of the Marianna Rotary Club.

For many years Senator Milton, in order to aid the farmers of Jackson County, served as secretary of the Farm Loan Association of Marianna, thus taking time to fill a position which took many, many hours of work at a compensation not paying for one-tenth of the trouble.

In 1893, William Hall Milton married Miss Sarah S. Baker, member of a prominent North Carolina family. Children of this union were: Lucy Hall, who married Major A. C. Evans, now deceased; William Hall, Jr., deceased; Bessie, who married Lieutenant D. W. Gardner of the United States Navy; Sarah Baker, who married Lieutenant W. F. Jennings, United States Navy; Homer Virgil; Mary Bruce, who married R. P. Singletary.

This grand man was an example to young people all over Florida, and he is remembered today by many Floridians whom he helped.

Those still living who served with him upon various boards or as fellow members of organizations will not soon forget his kindness, his clearness of vision, his firmness, his willingness to do more than his share of any line of work.

Here was a man such as described by the poet J. G. Holland, who said:

God give us men The time demands

Strong minds, great hearts, true faith, and willing hands;
Men whom the lust of office does not kill;

Men whom the spoils of office cannot buy;
Men who possess opinions and a will;

Men who have honor; men who will not lie;
Men who can stand before a demagogue

And dam his treacherous flatteries without winking;
Tall men, sun-crowned, who live above the fog

In public duty and in private thinking.

BE IT RESOLVED—Second, that a copy of the Journal embracing this Resolution and this Memorial be sent to his wife, Mrs. Sarah S. Milton, Marianna, Florida, and to each

surviving child of the Senator, and that copy of these proceedings be furnished to the press.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 13 was adopted.

Senator Franklin moved that the rules be waived and the Senate take up and consider Senate Bill No. 24, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 24:

A bill to be entitled An Act to provide for absentee voting of registered qualified electors of the State of Florida who are in the armed forces of the United States of America and absent from the State of Florida by reason thereof.

Was taken up.

Senator Franklin moved that the rules be further waived and Senate Bill No. 24 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 24 was read the second time by title only.

The Committee on Privileges and Elections offered the following amendment to Senate Bill No. 24:

Strike out the Title and insert in lieu thereof the following: "An Act to provide for absentee voting of electors of the State of Florida who are in the armed forces of the United States and absent from the State of Florida by reason thereof; to prescribe rules and regulations for such absentee voting and for the payment of expenses thereof.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Privileges and Elections also offered the following amendment to Senate Bill No. 24:

In (typewritten bill) strike out Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and insert in lieu thereof the following:

Section 2. Every registered, qualified elector of the State of Florida, serving in the land or naval forces of the United States, including the several branches or arms thereof, as well as the Women's Auxiliary Forces and the Merchant Marine, who by reason of such service shall be absent from the State of Florida on the occurrence of any election hereafter held pursuant to law in this State shall be permitted to vote in such election.

Section 3. The Secretary of State of the State of Florida in preparing official war ballots for elections held in this State, in accordance with Public Law 712, Seventy-seventh Congress of the United States, approved September 16, 1942, shall also provide on said ballot for voting for all candidates for State, county and other local offices, and any proposed amendments to the Constitution of the State of Florida, or any other proposition or question which is to be submitted to a vote in the State and in the preparation of instructions to voters pursuant to said Public Law 712 shall include therein such instructions, if any, as said Secretary of State may deem necessary for informing voters regarding election of State, county and other local offices or in connection with other matters included on said ballot.

Section 4. The Secretary of State may utilize the services of such local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this Act.

Section 5. The persons referred to in Section 1 hereof may make applications in writing to the Secretary of State of the State of Florida at any time prior to an election, on the form prescribed in said Public Law 712, or on such other form as may be prescribed by the Secretary of State, for absentee ballots to be voted in the election, and the Secretary of State shall, after making a record of the name and address of such applicant, transmit such application to the County Judge of the County of applicant's residence, with all necessary instructions to said County Judge as to his duties hereunder. The County Judge shall transmit to such applicant, as soon as practicable after the receipts of such application, an official war ballot and envelope, voting instructions, a booklet containing instructions and explanations as to casting a vote if one has been prepared, and an envelope for use in returning the official war ballot and envelope, all in accordance with said Public Law 712 and of this Act.

Section 6. When official war ballots are received by the Secretary of State of the State of Florida, he shall make a list thereof and from day to day forward the same to the County Judge of the County of the residence of the persons casting such ballot. When the County Canvassing Board meets to canvass the returns of any election, the County Judge shall deliver to the Canvassing Board all official war ballots received by him by the hour of the closing of the polls on the date of the holding of the election. Such ballots shall be examined by said Canvassing Board and every such ballot filled out and mailed in accordance with the provisions of Public Law 712 shall be canvassed, counted and certified in the same manner as nearly as may be practicable as the votes which were cast within the borders of the State of Florida are canvassed, counted and certified, but no such ballot shall be valid if the voter has voted in person.

Section 7. The Canvassing Board shall determine from the registration books or lists of the County whether the persons voting absentee ballots are registered as required by the Constitution and Laws of Florida. Where the persons voting absentee ballots are so registered, such Canvassing Board shall count and canvass the entire ballot cast by such voters for all offices. Where the persons voting absentee ballots are not registered, the ballot shall be counted and canvassed only as to the votes cast by them for President and Vice-President of the United States, United States Senators and Representatives in Congress.

Section 8. In order to fully carry out the purposes and intentions of this Act, the Secretary of State of the State of Florida and the various county officials charged with the duty of providing for elections, as the case may be, are authorized, empowered and directed to have printed and in the hands of the proper election officials all necessary ballots, together with the container return envelope, not more than ten days after the time has expired for the qualifying of officers in primary elections, and not less than thirty days prior to general elections.

Section 9. The expenses of administering the provisions of this Act by the Secretary of State shall be paid from the appropriation for primary or general election expense, unless or until the same is paid by the Federal Treasury under the provisions of the Federal Act. Expenses of local election officials shall be paid from the General Revenue Fund of the County.

Section 10. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 11. If any part of this Act is declared invalid or unconstitutional it shall not affect any other part thereof.

Section 12. This Act shall take effect immediately upon its passage and approval by the Governor or upon becoming a law without such approval.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Franklin moved that the rules be further waived and Senate Bill No. 24, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 24, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 24, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So Senate Bill No. 24 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Hinely moved that Senate Bill No. 382 (1941 Session) be withdrawn from the Committee on Executive Communications and placed on the Calendar.

Which was agreed to and it was so ordered.

Senator Hinely moved that the rules be waived and the Senate take up and consider Senate Bill No. 382 (1941 Session), out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 382 (1941 Session):

A bill to be entitled An Act for the relief of Johnnie Kalil and F. A. Kalil, as partners, doing business under the firm

name and style of Johnnie's Luncheonette in the City of Live Oak, Suwannee County, Florida.

Was taken up and read by title together with the following objections thereto of the Honorable Spessard L. Holland, Governor of Florida:

State of Florida
EXECUTIVE DEPARTMENT
Tallahassee

June 14th, 1941

Hon. R. A. Gray,
Secretary of State,
Tallahassee, Florida.

Sir:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III, of the Constitution of this State, I transmit to you, with my objections thereto, Senate Bill No. 382, entitled:

"An Act providing for the relief of Johnnie Kalil and F. A. Kalil, as partners doing business under the firm name and style of Johnnie's Luncheonette in the City of Live Oak, Suwannee County, Florida.

The reasons for my disapproval are that the Comptroller of the State of Florida advises that this claim is not justified, and no substantial reason has been advanced to show any justification for the allowance of this claim.

I, therefore, veto Senate Bill No. 382.

Respectfully yours,
(Signed) SPESSARD L. HOLLAND,
Governor.

The President put the question, "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 382 (1941 Session) the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Black, Carroll, Clarke, Cliett, Coleman, Franklin, Graham, Hinely, Johnson, King, Lewis, Lindler, Maddox, Mathews, McKenzie, Shands, Shuler, Taylor, Upchurch, Wilson—23.

Nays—Senators Brewton, Collins, Davis, Maines, Perdue, Sheldon, Sturgis—7.

So Senate Bill No. 382 (1941 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

Senator Johnson moved that Senate Bill No. 154 be withdrawn from the Committee on Finance and Taxation and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

By unanimous consent Senator Johnson withdrew Senate Bill No. 154.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Collins—

Senate Bill No. 581:

A bill to be entitled An Act to increase the collection of revenue by providing for the compilation and distribution to State and County Boards, Commissions, Departments and officers of useful available factual information; providing for the appointment of a compiler of tax source information, defining his duties, and fixing his salary and term of office, and making an appropriation for the expense thereof.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator King—

Senate Bill No. 582:

A bill to be entitled An Act authorizing the City of Winter Haven, Florida, to provide by ordinance for the enforcement of collection of its ad valorem taxes on personal property in manner similar to that provided by law for the enforcement of collection of county ad valorem taxes on personal property.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 582 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator King moved that the rules be waived and Senate Bill No. 582 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 582 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 582 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 582 was read the third time in full

Upon the passage of Senate Bill No. 582 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 582 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shands—

Senate Bill No. 583:

A bill to be entitled An Act authorizing Alachua County, Florida, to acquire, finance, construct, equip, furnish, operate and maintain public works and public buildings.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 583 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Shands moved that the rules be waived and Senate Bill No. 583 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 583 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 583 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 583 was read the third time in full.

Upon the passage of Senate Bill No. 583 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 583 passed, title as stated, and the Action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

Senate Bill No. 584:

A bill to be entitled An Act providing for the eligibility of Manuel Onis to participate as a member of the Fire Department of the City of Tampa, Florida, in all of the benefits of the City Pension Fund for Firemen and Policemen in the City of Tampa, created by Chapter 21590 of the Special Acts of 1941, or any other Act; requiring the Board of Trustees administering said fund to list the name of Manuel Onis among the names of those eligible to participate in said benefits; requiring the City of Tampa to enter into a contract with the said Manuel Onis in the same manner as other members of said department who are eligible to participate in said benefits; and to repeal any and all laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 584 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Sheldon moved that the rules be waived and Senate Bill No. 584 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 584 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 584 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 584 was read the third time in full.

Upon the passage of Senate Bill No. 584 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 584 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

Senate Bill No. 585:

A bill to be entitled An Act relating to primaries and elections in and creating County Election Boards in all counties of the State of Florida having a population of not less than one hundred and five thousand (105,000) and not more than two hundred and five thousand (205,000) according to the last preceding Federal census to conduct all primaries and elections except municipal primaries and elections; prescribing the qualifications, terms of office, and methods of appointment and election of the members of said boards and fixing their compensation, and providing for the payment of all expenses incurred by said boards; prescribing the powers, duties, and functions of such County Election Boards; making the County Supervisors of Registration ex-officio clerks and the State Attorneys, Attorneys for said boards, and prescribing their respective powers, duties, and functions; making said County Election Board, the Supervisor of Registration, and the County Judge the canvassing board of each of said counties; providing penalties for wilfully interfering with said County Election Boards, in the performance of their duties and for the wilful violation of this Act and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 585 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 585 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 585 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 585 was read the third time in full.

Upon the passage of Senate Bill No. 585 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 585 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Carroll—

Senate Bill No. 586:

A bill to be entitled An Act to provide for the planning, designation, establishment, use, regulation, alteration, improvement, maintenance, and vacation of limited access facilities; defining limited access facilities as highways or

streets designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have no right or easement or only a limited right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason, such highways or streets may be parkways, from which trucks, buses, and other commercial vehicles shall be excluded, or they may be freeways open to use by all customary forms of street and highway traffic; the acquisition of lands required therefor, the restriction of intersections and control of approaches to public highways or streets; the establishment of local service roads; the prohibition of certain acts thereon and provision for penalties therefor; and for other purposes.

Which was read the first time by title only.

Senator Carroll moved that the rules be waived and Senate Bill No. 586 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 586 was read the second time by title only.

Senator Carroll moved that the rules be further waived and Senate Bill No. 586 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 586 was read the third time in full.

Upon the passage of Senate Bill No. 586 the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Black, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Shands, Sheldon, Sturgis, Taylor, Upchurch—29.

Nays—None.

So Senate Bill No. 586 passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Carroll—

Senate Bill No. 587:

A bill to be entitled An Act authorizing the State Road Department of Florida to aid and assist the United States of America, the Public Roads Administration of the United States, and any other agency or department of the Federal government in the construction and maintenance of roads and bridges necessary to provide access to military and naval reservations, to defense industries and defense industry sites, and to sources of raw materials, and for replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense industry sites, and for the construction and maintenance of strategic network highways, and for the construction of flight strips, and prescribing the powers, duties and authority of the State Road Department in connection therewith.

Which was read the first time by title only.

Senator Carroll moved that the rules be waived and Senate Bill No. 587 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 587 was read the second time by title only.

Senator Carroll moved that the rules be further waived and Senate Bill No. 587 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 587 was read the third time in full.

Upon the passage of Senate Bill No. 587 the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Sheldon, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So Senate Bill No. 587 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Cliett—

Senate Bill No. 588:

A bill to be entitled An Act to prohibit the draining, throw-

ing or pouring of any dye-stuff, coal tar, oil, sawdust, poison or other deleterious substance into the waters of this State

Which was read the first time by title only and referred to the Committee on State Institutions.

By Senator Cliett—
Senate Bill No. 589:

A bill to be entitled An Act to amend Section 1 of Chapter 17693, Special Acts of the Legislature of Florida, 1935, the same being entitled, "An Act to provide for the examination and selection of persons employed by the City of Wauchula in the operation of its Light, Water and Fire Departments; to confirm the qualifications of all persons now employed in said Department; to provide a Commission for the purpose of securing applications and conducting an examination of applicants for employment in said Departments, and providing for the discharge of employees in said Departments for cause only, and for a method of preferring charges and conducting hearings thereon." Creating the office of Chief of Fire Department of the City of Wauchula; providing for the election of the Chief of the Fire Department of the City of Wauchula by the qualified electors of said city and prescribing the powers and duties of said Chief of Fire Department, and providing for the salary to be paid such officer.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 589 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Cliett moved that the rules be waived and Senate Bill No. 589 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 589 was read the second time by title only.

Senator Cliett moved that the rules be further waived and Senate Bill No. 589 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 589 was read the third time in full.

Upon the passage of Senate Bill No. 589 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 589 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Baker—
Senate Bill No. 590:

A bill to be entitled An Act approving, confirming and validating all adjustments, compromises, discounts, reductions, abatements, waivers, releases, discharges or refunds of taxes and delinquent tax certificates on real and personal property, and assessments and improvement liens, including interest, costs and penalties thereon, levied and assessed upon property in the Town of Umatilla, Florida, heretofore effected, made and allowed by the Town Council of the Town of Umatilla, Florida, and/or by the officers and governing authorities of said town, in the collection of said taxes, tax certificates, assessments and improvement liens, providing for the effective date of such law and for the repeal of all laws or parts of laws in conflict therewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 590 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Baker moved that the rules be waived and Senate Bill No. 590 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 590 was read the second time by title only.

Senator Baker moved that the rules be further waived and Senate Bill No. 590 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 590 was read the third time in full.

Upon the passage of Senate Bill No. 590 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 590 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Graham—
Senate Bill No. 591:

A bill to be entitled An Act relating to and regulating the transmission of news and information from within the premises of any horse race meet licensee, prescribing a penalty for the violation of same, authorizing the Racing Commission to promulgate rules and regulations, providing for a license tax, prohibiting publication of betting odds based on pari-mutuel pools and requiring licensee to furnish lists to the Racing Commission.

Which was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

By Senator Mathews—
Senate Bill No. 592:

A bill to be entitled An Act to amend Section 465.10, Florida Statutes, 1941, relating to registration of drug stores, by substituting pharmacists for drug stores and fixing the registration fee.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Mathews—
Senate Bill No. 593:

A bill to be entitled An Act to provide, in all civil and criminal proceedings for proof of the contents of public records, and the facts of the issuance or non-issuance of a license or certificate by a public officer, agency or board to any person authorizing such person to operate a business or practice a trade or profession, by a certified copy of the record or a certificate of the custodian or such public record under seal of his office or of the agency or board he represents.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Mathews—
Senate Bill No. 594:

A bill to be entitled An Act to amend Section 382.32, Florida Statutes, 1941, to authorize the State Board of Health to direct the State Registrar of Vital Statistics to destroy card indices of births and deaths after the information thereon has been transferred to permanent bound index volumes, and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Mathews—
Senate Bill No. 595:

A bill to be entitled An Act relating to the enforcement of laws relating to public health and the practice of medicine, surgery chiropractic, naturopathy, nursing and midwifery, and providing for such enforcement by law enforcement officers of the State of Florida and the counties thereof and the State Board of Health.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Mathews—
Senate Bill No. 596:

A bill to be entitled An Act to require the registration of

all physicians, surgeons, pharmacists, osteopaths, chiropractors, naturopaths, nurses, midwives and all others practicing the medical or material healing art in the State of Florida; to provide fees for the same and penalties for violation.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Black—

Senate Bill No. 597:

A bill to be entitled An Act providing for the members of the Board of County Commissioners and members of the Board of Public Instruction of Hamilton County, Florida, to receive a compensation of \$40.00 per month and in addition thereto to receive the sum of \$40.00 per year for their travel expense.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 597 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Black moved that the rules be waived and Senate Bill No. 597 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 597 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 597 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 597 was read the third time in full.

Upon the passage of Senate Bill No. 597 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Himely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—None.

So Senate Bill No. 597 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Graham—

Senate Joint Resolution No. 598:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA TO BE KNOWN AS ARTICLE XX, SECTIONS 1-8 THEREOF, RELATING TO THE CONSOLIDATION OF CERTAIN OFFICES IN THE COUNTY OF DADE, STATE OF FLORIDA, AND PROVIDING FOR THE ASSESSMENT AND COLLECTION OF ALL COUNTY, DISTRICT AND MUNICIPAL TAXES BY ONE TAX ASSESSOR AND ONE TAX COLLECTOR, THE CONSOLIDATION OF THE OFFICE OF COUNTY PROSECUTOR AND SOLICITOR WITH THAT OF STATE ATTORNEY, AND COMBINING THE CLERK OF THE CRIMINAL AND CIVIL COURTS AND DUTIES OF TAX COLLECTOR WITH THE CLERK OF THE CIRCUIT COURT.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the Constitution of the State of Florida be and the same is hereby amended by adding Article XX thereto, and as amended is agreed to and shall be submitted to the electors of the State of Florida for adoption or rejection at the next general election to be held in the year 1944, to wit:

ARTICLE XX

Section 1. That on and after midnight, December 31st, 1944, the County Tax Assessor of the County of Dade, State of Florida, shall become and be the assessor of all property in such county, and he shall after that date make all assessments with one valuation, of all ad valorem and acreage taxes, and such other taxes, licenses and impositions as the Legislature may hereafter provide, including all such assessments of property for each municipality, town, district, or other special taxing district in Dade County. Such ad valorem assessments shall be subject to review and equalization by the County Board of Equalization, plus one member appoint-

ed from and by each municipality or town having a population of more than 5,000 at the last census, all of whom shall constitute a Board of Review and Equalization for all tax assessments in Dade County, and who shall otherwise function as is now provided by law for the review and equalization of County assessments.

The County of Dade and each municipality, town, district and other special taxing district now created by law, or which may be hereafter created by law, shall retain and control the power to fix their respective budgets for the purpose of measuring and imposing the millage to be imposed upon property in said County subject to ad valorem taxes within each respective municipality, town, district or other special taxing area, and the County Tax Assessor shall add the amount levied and imposed by such millage to the amount imposed by the County of Dade, and any other taxing authorities in making up the total assessment against each piece of property in such county.

Section 2. That on and after midnight, December 31st, 1944, the County Tax Collector of Dade County, State of Florida, shall become the Tax Collector of all ad valorem taxes and acreage taxes levied and imposed for the calendar year 1945 and subsequent years (except taxes now required to be collected by the Clerk of the Circuit Court) within the County of Dade, including all county taxes and all ad valorem and acreages taxes imposed by any municipality, town, district or other taxing district upon property within said County, and the Legislature may provide that said Collector also collect any other taxes, licenses, or excises within said County. Such Collector shall remit to the designated proper official of each such taxing authority all such taxes collected forthwith, or as may be provided by law. The Tax Collector shall collect each tax statement in full, and shall issue but one tax statement and one certificate, and each statement and certificate issued shall include all ad valorem and acreage taxes imposed upon each parcel of real property assessed during any one calendar year, and all certificates sold shall be sold by the Collector and shall include and cover all taxes imposed upon each separate parcel for each calendar year; and certificates not sold and which by law or foreclosure are converted into title may be so converted by the County and sold for the pro rata benefit of each interested taxing authority; sales shall be made and penalties and interest for delinquencies imposed as provided by law for county taxes; each taxing authority may purchase property sold for taxes or on foreclosure for cash, and all moneys derived from the sales, penalties and interest, and collected from sales of property for taxes, shall be collected and disbursed pro rata to the County of Dade, municipalities, towns, drainage districts, or other taxing districts according to the proportion of taxes levied by each upon each parcel or piece of property involved.

Section 3. The County Tax Assessor and the County Tax Collector shall impose no charge by way of fee or otherwise upon the municipalities, towns, districts, or other taxing areas for their services in making assessments and collections of ad valorem or acreage taxes or other duties imposed or to be imposed hereunder, but each taxing unit shall bear their pro rata cost of all necessary records and supplies. The Legislature of the State of Florida may by law provide for payments of reasonable costs of collection and assessment incurred by the County of Dade in behalf of such assessments and collections.

Section 4. That on and after the expiration of the term of the County Tax Collector of the County of Dade, State of Florida, for which said collector has been elected as of the date January 1st, 1945, the duties imposed upon the County Tax Collector of the County of Dade by law and this Article, shall be assumed and taken over by the Clerk of the Circuit Court in and for Dade County, Florida, who shall then take over the books, funds, and accounts of the Collector, and who thereafter shall be known and termed both as the "Clerk of the Circuit Court" and "Tax Collector of Dade County Florida."

Section 5. On and after the expiration of the term of the County Solicitor of Dade County, Florida, for which he shall be serving at the time this Article is adopted, the State Attorney of Dade County, Florida, shall be and become the Prosecuting Officer of all the Criminal Courts of Dade County, Florida, and on and after the expiration of the term of the County Solicitor, the office of the County Solicitor and Prosecuting Attorney shall be abolished in Dade County, Florida; and all of the duties of the County Solicitor shall become the duties of the State Attorney of said County.

Section 6. On and after the expiration of the term of

the Clerk of the Criminal Court of Record for which he is serving or has been elected on January 1st, 1945, the office of the Clerk of the Criminal Court of Record and Clerk of the Civil Court of Record and the Court of Crimes in Dade County shall be abolished, and the duties of the Clerk of the Criminal Court of Record and his duties as Clerk of the Civil Court of Record and as Clerk of the Court of Crimes in said County shall be assumed, taken over, and become a part of the duties of the Clerk of the Circuit Court in and for Dade County.

Section 7. The County Tax Assessor, the County Tax Collector, the Clerk of the Circuit Court, and the State Attorney, by assuming the duties imposed and to be imposed upon each of them as is provided in Section 1-6 hereof, shall not be entitled to any additional compensation or other fees or reward, to that compensation and reward now provided to be paid them for the duties they now perform; provided, however, they may as they assume their additional duties, take over and be allowed such assistants, employees and expenses of the office assumed as may in their judgment be required; and provided further, the Legislature may from time to time fix their salaries as such officers, and govern their expenses, and fix their duties. Notwithstanding any general or special laws the provisions of this article shall be self-executing, but the Legislature may give reasonable interpretation to its words, phrases and sections, and direct their effect by related laws. The Legislature by law may control the compensation of each officer, and the expense and conduct of each office affected hereby, and may abolish fee systems where they exist in Dade County, and may control all fees and charges of offices or officials therein.

Section 8. Section 20 of Article III, and Sections 5, 27, and 30 of Article V, and Section 6 of Article VIII, and Section 5 of Article IX of the Constitution of the State of Florida shall remain in full force and effect and said Sections of said Articles and the other provisions of the Constitution of the State of Florida relating to the offices consolidated by this Article shall remain in full force and effect, save and except as they relate to such offices and the system of taxation and fees in Dade County, Florida, and as to such offices, system and fees, such sections shall be modified and changed to accord with this Article.

Which was read the first time in full.

Senator Graham moved that the rules be waived and Senate Joint Resolution No. 598 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 598 was read the second time in full.

Senator Graham moved that the rules be further waived and Senate Joint Resolution No. 598 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 598 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 598 the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—32.

Nays—None.

So Senate Joint Resolution No. 598 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1943 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Motor Vehicles—

Senate Bill No. 599:

A bill to be entitled An Act to amend Section 16 of Chapter 20451, Acts of 1941, the same being Section 322.04, Florida Statutes, 1941, relating to drivers' license exemptions; Section 17 of Chapter 20451, Acts of 1941, the same being Section 322.05, Florida Statutes, 1941, relating to persons to whom drivers' license shall not be issued; and Section 18

of Chapter 20451, Acts of 1941, the same being Section 322.06, Florida Statutes, 1941, relating to special restrictions on drivers of school buses and public or common carrier motor vehicles.

Which was read the first time by title only.

Senator Perdue moved that the rules be waived and Senate Bill No. 599 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 599 was read the second time by title only.

Senator Perdue moved that the rules be further waived and Senate Bill No. 599 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 599 was read the third time in full.

Upon the passage of Senate Bill No. 599 the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—30.

Nays—None.

So Senate Bill No. 599 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

Senate Bill No. 600:

A bill to be entitled An Act relating to drainage districts existing under the General Laws of the State of Florida, now Chapter 298, Florida Statutes, 1941; providing for readjustment of assessment of benefits, payment of such benefits and discharge of liens, and containing other provisions.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 600 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 600 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 600 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 600 was read the third time in full.

Upon the passage of Senate Bill No. 600 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So Senate Bill No. 600 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Sheldon withdrew Senate Bill No. 489.

By Senator Sheldon—

Senate Bill No. 601:

A bill to be entitled An Act to require the owner of an automobile used or operated as a taxicab, or for carrying passengers for hire under license number plate of series "E," to surrender within ten days after such use has been discontinued, the series "E" license number plate to the license number plate agency of the county of issue, and receive in exchange, on payment of the lawful fee, a license number plate of the series lawfully required for automobiles not for hire.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 601 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 601 was read the second time by title only.

Senator Sheldon moved that the rules be further waived